

In the United States Court of Federal Claims

_____)	
_____)	
CAMERON ELLIS)	
_____)	
Plaintiff(s),)	Case No. 19-1489 C
)	
v.)	
)	Judge _____
THE UNITED STATES,)	
)	
Defendant.)	
_____)	

COMPLAINT

Your complaint must be clearly handwritten or typewritten, and you must sign and declare under penalty of perjury that the facts are correct. If you need additional space, you may use another blank page.

If you intend to proceed without the prepayment of filing fees (*in forma pauperis* (IFP)), pursuant to 28 U.S.C. § 1915, you must file along with your complaint an application to proceed IFP.

1. **JURISDICTION.** State the grounds for filing this case in the United States Court of Federal Claims. The United States Court of Federal Claims has limited jurisdiction (*see e.g.*, 28 U.S.C. §§ 1491-1509).

~~Jurisdiction exists under 28 U.S.C. §1491 and is being filed in conformity with 28~~
~~U.S.C. §2401(b). I filed an administrative claim against the post office, but it was~~
~~denied.~~

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2. PARTIES

Plaintiff, CAMERON ELLIS, resides at One Stone Road
 (Street Address)
Belmont, MA 02478 617-932-9717
 (City, State, ZIP Code) (Telephone Number)

If more than one plaintiff, provide the same information for each plaintiff below.

RELATED CASES. Is this case directly related to any pending or previously filed cases in the United States Court of Federal Claims? ☐ Yes ☒ No

If yes, please list the case(s) below, including case number(s):

3. STATEMENT OF THE CLAIM. State as briefly as possible the facts of your case. Describe how the United States is involved. You must state exactly what the United States did, or failed to do, that has caused you to initiate this legal action. Be as specific as possible and use additional paper as necessary.

On or about June 11, 2018, I went to the Belmont, MA post office and sent a brand new Gucci backpack to Los Angeles, California through the U.S. Mail after selling it on eBay for \$800.00. I paid \$1,250.00 for the backpack in August 2017.

After the backpack was shipped, but before it was delivered, I purchased an intercept from the post office. An intercept guarantees that a package will not be delivered to the addressee, and will be returned to the sender. The post office confirmed my purchase of the intercept, and told me the intercept had taken effect, and I would soon be receiving the backpack in the mail, but the package was never intercepted.

continued on page 2, attached

When I did not receive the backpack in the mail, I reported this to post office officials in Massachusetts and California, but the post office took no steps to recover my backpack. I repeatedly sought help from post office officials, but nobody ever investigated the matter or took any steps to locate and retrieve my backpack, or determine what happened to my backpack.

Post office records indicate that my backpack was wrongfully delivered, lost, or stolen on or about June 25, 2018.

After I reported this incident to the post office, I was advised to speak with a postal inspector in California. My mom spoke with them on my behalf and gave the inspector the address to which the backpack was originally sent. The inspector stated that he would attempt to locate the package at that address, retrieve it, and send back to me. The inspector advised my mom to also contact customer service officials for the post office in Boston.

My mom spoke with a post office customer service official in Boston. The man she spoke with took a description of the backpack, and the incident number from the California report, and promised to contact the California postal inspector to determine whether the backpack had been located and retrieved. Neither the California postal inspector nor the Boston customer service official ever followed up with me.

In late October, 2018, an official at the Belmont, MA post office looked at computerized tracking information and stated that it appeared my backpack had been located by the post office in Los Angeles, California, and was on its way back to Belmont, MA. This same official stated that it was not necessary for me to file a claim because the package had been recovered and was being sent back to me. That information turned out to be incorrect because soon thereafter, the manager at the Belmont, MA post office, Erick Scholl, told me that the backpack had not been located, and that he would send a fax himself to a customer service fax number to determine the location of the backpack. Mr. Scholl stated that he had personally called the California postal inspector many times, and received no response.

A week or so later, Mr. Scholl told me that he did not have any luck determining where the backpack was, and that I should call 1-800-332-0317 and ask for a complaint "form 1000" because the package could not be retrieved.

A few weeks later, I received "form 1000" in the mail. I completed the form and submitted a complaint via certified mail to the Post Office Domestic Claims Department in Missouri.


My claim and appeal were denied.

4. **RELIEF.** Briefly state exactly what you want the court to do for you.

The post office breached its contract by not intercepting my
backpack and was negligent when it failed to take any steps to
retrieve my backpack. I would like the court to order the post
office to compensate me for the value of my backpack.

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 16th day of September, 2019.
(day) (month) (year)



Signature of Plaintiff(s)